

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

| | | |
|-----------------|---|---------------------------|
| DEVINE MAFA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | No. 2:19-cv-02713-TLP-dkv |
| v. |) | |
| |) | JURY DEMAND |
| AMEDISYS, INC., |) | |
| |) | |
| Defendant. |) | |

ORDER ADOPTING THE REPORT AND RECOMMENDATION

Defendant Amedisys, Inc. moves to compel arbitration and dismiss the complaint, or in the alternative, to stay this litigation pending arbitration. (ECF No. 11.) The Magistrate Judge entered a Report and Recommendation (“R&R”) recommending that the Court grant the motion to compel arbitration. (ECF No. 15.)

The Magistrate Judge found “that a valid arbitration agreement exists between Mafa and Amedisys, that the current dispute between the parties falls within the scope of that agreement, and that Congress has not excluded any of Mafa’s federal claims from arbitration.” (*Id.* at PageID 62.) As such, the Magistrate Judge “recommended that Amedisys’s motion to compel arbitration be granted, that Mafa be required to submit his claims against Amedisys to the Arbitration Program, and that Mafa’s lawsuit be dismissed without prejudice.” (*Id.*)

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee notes. Having reviewed the R&R and the record here, the Court

finds no clear error and **ADOPTS** the Report and Recommendation in its entirety. The Court thus **GRANTS** Defendant's motion to compel arbitration and **DISMISSES** the complaint without prejudice.

SO ORDERED, this 14th day of January, 2020.

s/Thomas L. Parker
THOMAS L. PARKER
UNITED STATES DISTRICT JUDGE